B. To the Claims

Kindly amend the claims so that they read consistent with the following listing:

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1. (currently amended) A seat assembly comprising:

a. a backrest;

b. a member protruding rearward from the backrest so as to define a space therebetween;

c. a [[stowable]] table adapted to be stowed when not in use and to be deployed for use, the table generally [[to abut]] abutting the member when stowed and being remote from the member when deployed.

2. (currently amended) A seat assembly according to claim 1 in which the [[stowable]] table is connected to the member when stowed and disconnected from the member when deployed.

3. (original) A seat assembly according to claim 2 in which the member is a bar connected to the backrest.

4. (original) A seat assembly according to claim 3 in which (i) the backrest is repositionable and (ii) the bar is connected to the backrest so that its position relative to the backrest remains fixed regardless of the position of the backrest.

5. (currently amended) A seat assembly comprising:

a. a backrest;

b. a table adapted (i) generally to abut the backrest when stowed and (ii) to extend therefrom when deployed; and

c. means, comprising (i) a spring and (ii) an arm communicating with the table and about which the spring is positioned, for biasing the table away from the backrest when the table is deployed.

cont. A1

6.-7. (cancelled)

8. (currently amended) A seat assembly according to claim [[7]] 5 in which the table defines a slot or bore in which the arm travels.

9. (original) A seat assembly according to claim 8 in which the arm has an opening receiving a rod, the rod defining an axis about which the table pivots.

10. (original) A seat assembly according to claim 9 in which the spring has two ends, one end abutting the table and the other end abutting the rod.

11. (original) A seat assembly comprising:

a. a frame;

b. a backrest connected directly or indirectly to the frame;

c. a stowable table adapted generally to abut the backrest when stowed and to extend therefrom when deployed;

d. a pair of arms connected directly or indirectly to the frame;

e. a rod connecting the pair of arms;

f. first and second minor arms connecting the table to at least the rod; and

g. at least one spring positioned about the first minor arm between the table and rod.

cont. a1

12. (original) A seat assembly according to claim 11 further comprising at least one additional spring positioned about the second minor arm between the table and rod.

13. (original) A seat assembly according to claim 12 in which the stowable table defines first and second bores or slots, with the first minor arm travelling in the first bore or slot and the second minor arm travelling in the second bore or slot.

14. (original) A seat assembly according to claim 13 further comprising a cover connected directly or indirectly to the backrest and overlapping at least a portion of the table when the table is stowed.

15. (currently amended) A seat assembly comprising:

a. a backrest;

b. a stowable table adapted generally to abut the backrest when stowed and to extend therefrom when deployed, the table defining sides and first and second ends, the first end positioned above the second end when the table is stowed; and

c. a cover connected at least indirectly to the backrest so as to overlap at least part of the first end of the table when the table is stowed.

cont. A1

16. (original) A seat assembly according to claim 15 in which the cover is mounted to the backrest at a mounting point and pivots about the mounting point.

17. (currently amended) A seat assembly [[according to claim 16 in which the]] comprising:

a. a backrest [[has]] having a width [[and the cover spans the width]];

b. a stowable table adapted generally to abut the backrest when stowed and to extend therefrom when deployed; and

c. a cover spanning the width of and connected at least indirectly to the backrest so as to overlap at least part of the table when the table is stowed.

18. (original) A seat assembly according to claim 17 in which the cover is mounted to the backrest at two mounting points, the two mounting points defining an axis about which the cover pivots.

Response

A. Introduction

Claims 1-18 were pending prior to entry of the preceding amendments, and claims 1-5 and 8-18 are pending now. Claims 11-14 are allowed, and the Examiner has indicated that claims 17-18 would be allowable if appropriately rewritten. She has, however, initially rejected claims 1-4 and 15-16 under 35 U.S.C. § 102(b) as purportedly anticipated by, respectively, U.S. Patent Nos. 1,073,718 to Stubblefield and 462,723 to Morss. She also has initially rejected claims 5-10 under either section 102(b) or 35 U.S.C. § 103(a) as anticipated by or obvious in view of U.S. Patent No. 2,284,811 to Ferrelle and objected to FIGS. 2, 3, and 7 of the drawings submitted with the application.

B. Claims 17-18

According to the Examiner, claims 17-18 would be allowable if appropriately rewritten. In response to the Examiner's indication, Applicant has rewritten claim 17 in independent form. Applicant believes, therefore, that claims 17-18 present patentable subject matter and requests that these claims be allowed.

C. Claims 1-4

The Examiner initially rejected claims 1-4 as anticipated by the Stubblefield patent, contending piece 37 of that patent is the "member" recited in Applicant's independent claim 1. As described in the Stubblefield patent, desk 4 includes a rod 41 fitted into slot 39 formed by piece 37. See Stubblefield, p. 2, col. 1, lines 38-56. ***Rod 41 thus always contacts piece 37***, regardless of whether desk 4 is stowed (as in Fig. 2) or deployed (as in Fig. 1).

Because stowing and deployment of the table of Applicant's invention differ conceptually from stowing and deployment of the desk of the Stubblefield patent, the protruding member (bar 208, for example) of the invention ***does not always contact the table***. Instead, such contact occurs only when bar 208 is used to latch the table for stowage. By contrast, when the table is deployed it is ***remote*** from bar 208 and ***no*** contact occurs.

Applicant thus has revised claim 1 to describe that the table does ***not*** abut the member when the table is deployed. Applicant likewise has revised claim 2 to refer to the table being disconnected from the member when deployed. These revisions, Applicant believes, clearly distinguish claims 1-4 from the Stubblefield patent and other materials of record.

D. Claims 5 and 8-10

Citing the Ferrelle patent, the Examiner initially rejected claims 5-10. According to the Examiner, the Ferrelle patent discloses a table T including both "an arm 41 communicating with the table" and spring 46 for biasing the table away from the backrest of an associated seat. See Office Action at pp. 3-4. While acknowledging that spring 46 is ***not*** positioned about arm 41, the Examiner nevertheless contends that to position spring 46 in this manner would be obvious to one ordinarily skilled in the art.

Applicant disagrees with the Examiner's contention. To bias table T away from seat S of the Ferrelle patent, the longitudinal axis of spring 46 effectively must be in the same plane as the table when the table is deployed. This correspondence of the longitudinal axis of the spring and the plane of the deployed

table is well illustrated in Fig. 4 of the Ferrelle patent. Otherwise, contact of the springs 46 with trunnions 43 would not result in biasing the table away from the seat.

It thus would be non-sensical to reposition springs 46 about arms 41, as the springs no longer would engage trunnions 43 and could not bias the table in any direction (much less away from seat S). Contrary to the Examiner's contention, therefore, it clearly is not obvious to modify the Ferrelle patent in this manner. Applicant accordingly has revised independent claim 5 to include this aspect of the invention, cancelling claims 6-7 to avoid redundancy. At least because the Ferrelle patent neither teaches nor suggests amended claim 5, Applicant requests that it and claims 8-10 be allowed.

E. Claims 15-16

The Examiner initially rejected claims 15-16 as anticipated by the Morss patent, defining one or both of the brackets F of that patent to be the "cover" recited in independent claim 15. To allow deployment of shelf D of the Morss patent, ***brackets F necessarily are positioned to the sides of the shelf***:

> When . . . the shelf is to be used, it is drawn down, . . . thereby spreading the bracket F outwardly until the outer edge of the bracket comes to rest on the side of the projection H on the bracket, so that the shelf will be inclined slightly upward . . . .

See Morss, p. 1, col. 2, ll. 88-94.

By contrast, the cover of Applicant's invention overlaps the uppermost end 38 of the table when the table is stowed. Such overlap is depicted in FIGS. 1-2 of the application, differing from the overlapping at the sides of shelf D illustrated in the Morss patent. Because moving brackets F of the Morss patent to the ends of shelf D

would preclude the shelf from deploying in the manner specified, the Morss patent clearly fails even to suggest doing so. Applicant accordingly believes, for at least this reason, that claims 15-16 should be allowed.

F. Drawings

The Examiner objected to the drawings of the application as (1) containing an incorrect lead line for element 36, (2) omitting reference numerals 200A and 200B, and (3) omitting depiction of a spring positioned about a minor arm of a table assembly. In response to the Examiner's objections, Applicant proposes to revise FIG. 2 to correct the lead line associated with numeral 36, to show an additional spring in FIG. 3, and to include numerals 200A and 200B on FIG. 7. Revised versions of these figures appear behind Tab A; Applicant believes they resolve the Examiner's concerns and requests that the objections be withdrawn.